IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITON NO.240 OF 2005

Kushalchand Kesavji Shah. ...Petitioner.

vs.

Lloyds Finance Limited & another. ...Respondents.

Mr.Niranjan Lapasiya i/b. M/s.Niranjan & Co., for Petitioners.

Mr.S.C.Naidu i/b. C.R.Naidu & Co. for Respondent no.1.

Mr.D.H.Mehta i/b. Kiran Jain & Co. for Respondent no.2.

AND

ARBITRATION PETITION NO.261 OF 2005

Lloyds Finance Limited & another. ...Petitioners

vs.

City Lifts (India) Limited & Another. ...Respondents

Mr.S.C.Naidu i/b. C.R.Naidu & Co., for Petitioners.

Mr.D.H.Mehta i/b. Kiran Jain & Co., for Respondent no.1.

Mr.Niranjan Lapasiya i/b. M/s.Niranjan & Co., for Respondent no.2.

CORAM: D.K.DESHMUKH,J.

DATED: 18th October,2005

P.C.:-

1. Without prejudice to their rights and contentions all the three parties involved in this dispute have consented that the Award impugned in both these petitions be set aside. Accordingly the Award impugned in both these petitions is set aside.

2. The disputes between the parties are referred to Hon'ble Mrs.Justice K.K.Baam (Retired), for decision in accordance with the Law.

3. The learned Arbitrator shall grant an opportunity of being heard to all the sides and if the parties so desire permit them to lead evidence both documentary and oral.

4. All the issues shall be open to the parties to be raised before the learned Arbitrator and to be decided by the learned Arbitrator.

Both the petitions are disposed of.

No order as to costs.